Reply to Decision on Appeal Dated June 29, 2007

AMENDMENTS TO THE CLAIMS

1. (currently amended) An apparatus for moving particulate matter, comprising:

Docket No.: 30679/39713

a body having a motor;

a drive housing disposed on the body;

a cavity disposed in the body, the cavity having a first side, a second side, and at least a partial semi-circular cross-sectional shape;

a paddle assembly having a shaft and a plurality of paddles disposed therefrom, each paddle having a bottom wall and a distal end, wherein the distal end travels along the semi-circular cross-sectional shape of the cavity during operation, and the bottom wall extends along an entire width of the paddle in a substantially planar manner between the first side wall and the second side wall of the cavity,

wherein the bottom wall is arcuate about an axis parallel to the shaft, and wherein each paddle includes a pair of side walls that in combination with the bottom wall define an open region; and

a drive mechanism disposed in the drive housing, the drive mechanism operatively connecting the motor and the shaft.

- 2. (previously presented) The apparatus for moving particulate matter of claim 1, wherein the bottom wall of the paddles is an arcuate bottom wall extending outwardly from the shaft first away from and then toward the direction of rotation of the paddles.
- 3. (previously presented) The apparatus for moving particulate matter of claim 2, wherein the open region has a measurable volume for receiving and throwing grain to a desired location.
- 4. (original) The apparatus for moving particulate matter of claim 1, wherein the motor is an electric motor.
- 5. (original) The apparatus for moving particulate matter of claim 1, further including a chute disposed on the body for guiding the particulate matter in a direction.

Reply to Decision on Appeal Dated June 29, 2007

6. (original) The apparatus for moving particulate matter of claim 1, wherein the paddle assembly rotates between 350 rpm and 525 rpm.

Docket No.: 30679/39713

- 7. (original) The apparatus for moving particulate matter of claim 1, wherein the body is constructed from a plastic material.
- 8. (original) The apparatus for moving particulate matter of claim 1, wherein the particulate matter is grain.
 - 9. (previously presented) An apparatus for moving particulate matter, comprising: a body having a motor;
 - a drive housing disposed on the body;
- a cavity disposed in the body, the cavity having a first side, a second side, and at least a partial semi-circular cross-sectional shape;

a paddle assembly having a shaft and a plurality of paddles disposed therefrom, each paddle having an arcuate bottom wall extending outwardly from the shaft, wherein the bottom wall is arcuate about an axis parallel to the shaft, a pair of side walls, and a distal end, wherein the side walls and the arcuate bottom wall define an open region and the distal end travels along the semi-circular cross-sectional shape of the cavity during operation; and

a drive mechanism disposed in the drive housing, the drive mechanism operatively connecting the motor and the shaft.

- 10. (previously presented) The apparatus for moving particulate matter of claim 9, wherein the open region has a measurable volume for receiving and throwing grain to a desired location.
- 11. (original) The apparatus for moving particulate matter of claim 9, wherein the motor is an electric motor.
- 12. (original) The apparatus for moving particulate matter of claim 9, further including a chute disposed on the body for guiding the particulate matter in a direction.

Reply to Decision on Appeal Dated June 29, 2007

13. (original) The apparatus for moving particulate matter of claim 9, wherein the

Docket No.: 30679/39713

paddle assembly rotates between 350 rpm and 525 rpm.

14. (original) The apparatus for moving particulate matter of claim 9, wherein the

body is constructed from a plastic material.

15. (original) The apparatus for moving particulate matter of claim 9, wherein the

particulate matter is grain.

16. (previously presented) A portable apparatus for moving particulate matter,

comprising:

a body having a motor;

a handle and at least one wheel operatively attached to the body to facilitate the

moving the apparatus from a first to a second position;

a cavity disposed in the body, the cavity having a semi-circular cross-sectional shape;

a shaft disposed in the cavity;

a drive mechanism operatively connecting the motor and the shaft;

a motor housing disposed on the body;

a drive housing disposed on the body that at least partially receives the drive

mechanism; and

a plurality of paddles disposed on the shaft, each paddle having an arcuate bottom

wall, wherein the bottom wall is arcuate about an axis parallel to the shaft, a pair of side walls

and a distal end, wherein the pair of side walls and the bottom wall define an open region and

the distal end travels along the semi-circular cross-sectional shape of the cavity during

operation.

17. (previously presented) The apparatus for moving particulate matter of claim 16,

wherein the bottom wall is an arcuate bottom wall extending outwardly from the shaft first

away from and then toward the direction of rotation of the paddles.

-4-

Reply to Decision on Appeal Dated June 29, 2007

18. (previously presented) The apparatus for moving particulate matter of claim 17,

Docket No.: 30679/39713

wherein the an open region has a measurable volume for receiving and throwing grain to a

desired location.

19. (original) The apparatus for moving particulate matter of claim 16, wherein the

motor is an electric motor.

20. (original) The apparatus for moving particulate matter of claim 16, further

including a chute disposed on the body for guiding the particulate matter in a direction.

21. (original) The apparatus for moving particulate matter of claim 16, wherein the

paddle assembly rotates between 350 rpm and 525 rpm.

22. (original) The apparatus for moving particulate matter of claim 16, wherein the

body is constructed from a plastic material.

23. (original) The apparatus for moving particulate matter of claim 16, wherein the

particulate matter is grain.

-5-